IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

WP(C).No. 7950 of 2007(U)

PETITIONER:

SMT. DR. A.JADEEDA, AGED 53 YEARS,
W/O. DR. A.NIZARUDEEN, READER,
DEPARTMENT OF HISTORY, GOVT. COLLEGE,
THRISSUR, PERMANENTLY RESIDING AT T.C.20/1360,
KARAMANA, THIRUVANANTHAPURAM-2.

BY ADV. SRI.P.K.IBRAHIM

RESPONDENTS:
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1. THE DIRECTOR OF COLLEGIATE EDUCATION,
OFFICE OF THE DIRECTOR OF COLLEGIATE EDUCATION,
VIKAS BHAVAN, THIRUVANANTHAPURAM.

2. THE PRINCIPAL,
UNIVERSITY OF COLLEGE, THIRUVANANTHAPURAM.

3. M.P.INDIRA,
LECTURER, SELECTION GRADE, UNIVERSITY COLLEGE,
THIRUVANANTHAPURAM.

4. THE GENERAL SECRETARY,
ALL KERALA GOVERNMENT COLLEGE TEACHERS,
ASSOCIATION, AKGCTA BHAVAN, PANAVILA JUNCTION,
THIRUVANANTHAPURAM.

5. THE PRINCIPAL SECRETARY,
GOVERNMENT OF KERALA, HIGHER EDUCATION,
THIRUVANANTHAPURAM.

BY ADV. SRI.N.SUGATHAN
SMT.VARSHA BHASKAR
SRI.P.C.SASIDHARAN
GOVT. PLEADER SMT.M.R.SREELATHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	**PHOTOCOPY OF THE ORDER NO.G.O.(RT)NO.1953/06/H.EDN. DTD. 27-12-06 ISSUED BY R5**
EXT.P2	**PHOTOCOPY OF THE MEDICAL CERTIFICATE DATED 10-02-07 ISSUED BY DR.JOHNY J.KANNAMPILLY, LAKESHORE HOSPITAL, ERNAKULAM**
EXT.P3	**PHOTOCOPY OF THE REQUEST DTD. 2-12-06 SUBMITTED BY THE PETITIONER BEFORE R1**
EXT.P4	**PHOTOCOPY OF THE ORDER NO.B2/4118/06/COLL.EDN. DTD. 15-12-06 ISSUED BY R1**
EXT.P5	**PHOTOCOPY OF THE LETTER NO.B2/142/06/U.C. DTD. 20-12-06 OF THE PRINCIPAL TO R1**
EXT.P6	**PHOTOCOPY OF THE ORDER NO.B2/4118/06/COLL.EDN. DTD.6-2-07 ISSUED BY R1**
EXT.P7	**PHOTOCOPY OF THE REPRESENTATION DTD. 13-2-07 PREFERRED BY THE PETITIONER BEFORE R5**

RESPONDENT'S EXHIBITS

EXT.R3(A)	**TRUE COPY OF G.O(MS)NO.27/94/H.EDN. DTD. 21-2-94**
EXT.R3(B)	**TRUE COPY OF REPRESENTATION DTD. 15-12-06 TO R1**

/True copy/

PA to Judge.

K.M.JOSEPH, J.

W.P.(C).No.7950 OF 2007

Dated this the 10th day of April, 2007

JUDGMENT

By Ext.P4, petitioner came to be transferred to the University College, Thiruvananthapuram. The said order was cancelled by Ext.P6. Petitioner challenges Ext.P6. According to the petitioner, she is a chronic liver cirrhosis patient and she has been under treatment at Kerala Institute of Medical Science, Thiruvananthapuram and now at Lakshore Hospital, Ernakulam. According to her, she has relinquished her promotion to the post of Principal twice. Her further case is that she has less than 2 years service for retirement.

2. Learned counsel for the petitioner submits that at any rate two vacancies are arising in the University College, Thiruvananthapuram in May 2007. Learned Government Pleader on instructions submits that one vacancy is due to arise in May

2007 and another vacancy is due to arise in June 2007. She further submits that the case of the petitioner will be considered against the first vacancy that arises.

In such circumstances, the writ petition is disposed of directing the first respondent to consider the case of the petitioner for transfer to University College, Thiruvananthapuram in the first arising vacancy in accordance with law. First respondent will also take note of the alleged health condition projected by the petitioner when he takes a decision.

K.M.JOSEPH
JUDGE

sv.